UNITED STATES PATENT AND TRADEMARK OFFICE

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09/613,980	07/11/2000	Leonard E. Marchese	11590/9-1268	1815

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EXAMINER
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ART UNIT	PAPER NUMBER
2151	7

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

  1)☒ Responsive to communication(s) filed on _03 March 2004_.

  2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

  3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

  4)☒ Claim(s) _21-38_ is/are pending in the application.

      4a) Of the above claim(s) _____ is/are withdrawn from consideration.

  5)☐ Claim(s) _____ is/are allowed.

  6)☒ Claim(s) _21-38_ is/are rejected.

  7)☐ Claim(s) _____ is/are objected to.

  8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

  9)☐ The specification is objected to by the Examiner.

  10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

  11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

  12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Transitional After Final Practice

1.   Since this application is eligible for the transitional procedure of 37 CFR 1.129(a),

and the fee set forth in 37 CFR 1.17(r) has been timely paid, the finality of the previous

Office action is hereby withdrawn pursuant to 37 CFR 1.129(a). Applicant's submission

after final filed on 3/3/2004 has been entered.

2.   Claims 21-38 are presented for examination.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a)

that form the basis for the rejections under this section made in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 21-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Fulton et al., US pat. No.6,182,052 in view of Kirk et al., US pat. No.6,175,842.

As to claim 21, Fulton discloses a system for organizing and assembling information

and resources for interaction with at least one user for facilitating creative problem

solving comprising:

a host/server (12 fig.1) disposed on a network (see fig.1).

a plurality of devices (11, 21, 20 fig.1) connectable to the host/server (12 fig.1)

via the network and for generating a plurality of individualized electronic spaces (i.e.,

creating user friendly terminals using "touch screens", see abstract, fig.1, col.4 line 7 to col.5 line 12).

means for a user to configure an individual room by selecting graphic, textual and application information and resources for display in an individualized room, each configured and displayed as selectable iconic images located in the individualized room (i.e., recording user input data including user choice selections, see fig.1A, col.5 lines 13-62 and col.7 lines 4-50).

means for each user to access the individualized electronic room and actuating the selected iconic images for accessing the graphic, textual and application information and resources within the individual electronic room space, storing and displaying the individualized electronic spaces (i.e., processing information data using user terminals with touch screens, see fig.s2, 3, col.5 line 63 to col.6 line 26).

Fulton does not specifically disclose each electronic space display as a virtual room on display devices of each of the plurality of users. However, Kirk discloses each electronic space display as a virtual room on display devices of each of the plurality of users (using the server 411 fig.4 to construct Virtual Reality (VR) rooms associated with clients (401, 402, 403 fig.4). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Kirk's VR network in the computer system of Fulton to moderate data communications between users because it would have ensured data communications between members of the same VR and tracked communications data between users occupying the same VR environment.

As to claim 22, Fulton discloses processing means, communication means and storage means (see fig.1, col.4 line 7 to cool.5 line 62).

As to claim 23, Fulton discloses an intelligent agent application supported on the host/server for interacting with each user accessing an individualized electronic room (processing user's request for services, see fig.1A, col.6 lines 4-62).

As to claim 24, Kirk discloses each electronic space display as a virtual room on display devices of each of the plurality of users, the common room configured to for computer generated display as a virtual room (VR) being accessible by two or more of users (allowing users in VRS to communicate to each other) and means for supporting interactive between the selected users within the common room, displayed on each of the user's local display device (using the server 411 fig.4 to construct Virtual Reality (VR) rooms associated with clients (401, 402, 403 fig.4), see fig.4, col.7 line 10 to col.8 line 67 and col.9 lines 12-58). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Kirk's VR network in the computer system of Fulton to moderate data communications between users because it would have ensured data communications between members of the same VR and tracked communications data between users occupying the same VR environment.

As to claim 25, Fulton discloses the selected resources are selected from the group containing of search engines, databases, experts, technical information, work

processing applications, presentation applications, planning applications and

communication applications (using financial institution information, banking transactions,

see col.5 line 37 to col.6 line 64 and col.7 lines 4-50).

As to claim 26, Fulton discloses generating at least one electronic space that is

accessible by a user comprising:

A computer generated image on a display device (20 fig.1), the image containing

selected graphical and textual information displayed (displaying a number of

participating providers and services) in the room image, one or more images being

settable as one or more iconic images activatable to access at least one selected

resource or software application (enabling the participating financial institutions and the

service providers to offer products and services to users, see fig.1, 1A, col.4 line 54 to

col.5 line 37), each actively accessible selected resources (financial institutions and the

service providers or software applications conventional software applications) being

usable within a user displayed as images (for example, banks, bill payment, catalog

shopping of 20 fig.1), wherein a user creates an interactive and individual computer

generated image furnished with selected images and selected furnishing images (i.e.,

when user select and send a particular request to server terminals using touch screens,

see fig.2, 3, col.5 line 63 to col.6 line 26 and col.11 line 1 to col.12 line 42). Fulton does

not specifically disclose creating a room viewable by a user selecting decorative

images. However, Kirk discloses creating a room viewable by a user selecting

decorative images (using the server 411 fig.4 to construct Virtual Reality (VR) rooms

associated with clients (401, 402, 403 fig.4) and providing clients information including

graphics, objects associate with a hypertext files, see col.7 line 10 to ocl.8 line 67 and

col.10 lines 20-58). It would have been obvious to one of the ordinary skill in the art at

the time the invention was made to implement Kirk's VR network in the computer

system of Fulton to moderate data communications between users because it would

have ensured data communications between members of the same VR and tracked

communications data between users in a network.

As to claim 27, Kirk discloses the iconic images representing active transport links

between a plurality of electronic room spaces, a user can move from one electronic

room to another electronic room by actuating an associated transport link (allowing

users browsing VR environments to communicate to each other, see col.8 line 28 to

col.9 line 58). It would have been obvious to one of the ordinary skill in the art at the

time the invention was made to implement Kirk's VR network in the computer system of

Fulton to monitor data communications between users because it would have ensured

data communications between members of the same VR and tracked communications

data between users in a network.

As to claims 28 and 29, Kirk discloses at least one active transport link image is

selected from the group consisting of a door image, a painting image and a photograph

image (hypertext files containing pictures and paintings in the museum, see col.10 line

60 to col.11 line 52) and a computer generated image of a common room area

simultaneously viewable on a plurality of display devices (displaying in client's devices)
and being accessible by multiple users to be visually represented within the common
room area for interactive communication (see col.9 lines 1-58 and col.10 line 60 to
col.11 line 52). It would have been obvious to one of the ordinary skill in the art at the
time the invention was made to implement Kirk's VR network in the computer system of
Fulton to moderate data communications between users because it would have
provided desired data information to users as members of the VR and tracked
communications data between users in a network.

As to claim 30, Fulton discloses processing means, communication means, and storage
means and means to generate and display the room image (see figs.1, 15, col.4 line 7
to cool.5 line 62 and col.9 line 7 to col.10 line 45).

As to claim 31, Fulton discloses the electronic space is supported on the network by at
least one data processing device having processing means, data storage means,
communication means, and means to generate and display the room image (see col.11
line 1 to col.12 line 42).

As to claim 32, Fulton discloses a method of a computer based processing system to
enhanced creating thinking comprising:

     providing a data processing system (fig.1).

using the data processing system to generate an electronic space represented

as an image viewed on a computer display device (20 fig.1) (enabling the participating

financial institutions and the service providers to offer products and services to users,

see fig.1, 1A, abstract, col.4 line 54 to col.5 line 37) linked to a plurality of data

resources, human resources and software applications (banking and financial

institutions, see col.4 line 7 to col.5 line 62).

selecting activatable links (using catalog shopping services) to the resources

selected by the user and using the resource (see figs.1, 15, col.9 line 6 to col.10 line 58

and col.11 lines 3-67).

Fulton does not specifically disclose configuring the electronic space to contain

activatable represented as icons within a room space (creating a VR room associated

with clients and providing hypertext file links to clients, see fig.4, col.1-49, col.7 line 10

to ocl.8 line 67 and col.11 lines 13-52). It would have been obvious to one of the

ordinary skill in the art at the time the invention was made to implement Kirk's VR

network in the computer system of Fulton to moderate data communications between

users because it would have provided desired data information to users as members of

the VR and tracked communications data between users in a network.

As to claims 33-35 and 37, Kurk discloses an intelligent agent application programmed

for interaction with the user within the electronic room space and to select the

activatable links for incorporation in the electronic room space (providing hypertext links

to clients, see col.11 line 13 to col.12 line 18), each recipient (clients 401, 402, 403 of

fig.4) having a computer-generated display of the room image on a local display device within an electronic space (see figs.4, 5, col.9 line 11 to col.10 line 59 and col.11 lines 13-52) and the intelligent agent application within the electronic room space to transform user input within the electronic space and generating user selected iconic representations of activatable links to user entertainment resources (providing hypertext links to clients, see figs.4, 5, col.9 line 11 to col.10 line 59 and col.11 lines 13-52). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Kirk's VR network in the computer system of Fulton to moderate data communications between users because it would have provided desired data information to users as members of the VR and tracked communications data between users in a network.

Claim 36 is rejected for the same reasons set forth in claim 29.

As to claim 38, Fulton discloses a method for facilitating generating a solution to a problem comprising:

providing a customizable generated electronic space displayed on a network and having integrated therein means to select resources for access via the icons displayed in the image (enabling the participating financial institutions and the service providers to offer products and services to users, see fig.1, 1A, col.4 line 54 to col.5 line 37).

using selected resources in the device and interacting within the device to generate at least one solution to the problem and evaluating at least one solution using

selected resources (an "error" message will appear upon incompletion of the business

transaction, see fig.4 col.5 line 37 to col.6 line 54, col.7 line 51 to col.8 line 54 and col.9

lines 7-67).

Fulton does not specifically disclose Identifying members of the group and connecting

the members of the group to the room image and providing means for the group

members to simultaneously interact within the room displayed on each member's local

display device (user screens). However, Kurk discloses Identifying members of the

group (users belong to a VR environment) and connecting the members of the group to

the room image and providing means for the group members to simultaneously interact

within the room displayed on each member's local display device (user screens) space

(creating a VR room associated with clients and providing hypertext file links to clients

·on VR room, see fig.4, col.1-49, col.7 line 10 to col.8 line 67 and col.11 lines 13-52). It

would have been obvious to one of the ordinary skill in the art at the time the invention

was made to implement Kirk's VR network in the computer system of Fulton to

moderate data communications between users because it would have provided desired

data information to users as members of the VR and effectively tracked communications

data between users in a network.

Response to Arguments

5.   Applicant's arguments with respect to claims 21-38 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

6.   Claims 21-38 are *rejected.*

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on (703) 305-4792. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U. S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

FRANTZ B. JEAN

EXAMINER

Khanh Dinh
Patent Examiner
Art Unit 2151
3/19/2004